

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

EMERY & WEBB, INC.

Plaintiff(s),

v.

JONATHAN CHRISTY, MATT CHRISTY,
CORP. FIN SERV, INC., CFS DENTAL
DIVISION, LLC, AND JOSEPH M.
DIMARCO JR,

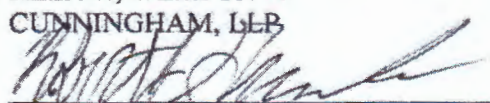
Defendant(s)

: Civil Action No.
: 7:22-cv-03436 KMK
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: APPLICATION FOR EXTENSION OF
: TIME TO CONDUCT DISCOVERY
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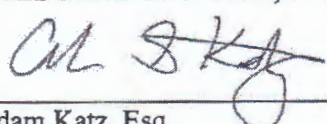
Application is hereby made for an Order extending the time parties have to conduct and complete discovery. It is represented that:

1. No previous extension has been obtained;
2. The reasons underlying this request were discussed before and deemed reasonable by Judge Kraus during the December 12, 2022 Case Management Conference (and memorialized in the letter Plaintiff submitted to the Court on the same day);
3. The minute entry entered on December 12, 2022 further ordered that Defendants shall respond to Plaintiff's initial discovery requests on or by January 15, 2022;
4. All litigants have consented to this request and suggested amended deadlines.

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LLC, and Joseph M. Dimarco Jr.*

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ORDER EXTENDING DISCOVERY

Upon consent of counsel and application to the Court, and subject to the limitation identified in the December 12, 2022 minute entry, the discovery deadlines of and for this matter shall be uniformly extended by ninety (90) days such that:

- 1) Initial Disclosures pursuant to Rule 26(a)(1), Fed. R. Civ. P., shall be completed no later than January 16, 2023.
- 2) All *fact* discovery shall be completed no later than April 27, 2023 in accordance with the following deadlines:
 - a. Defendants shall respond to Plaintiff's initial interrogatories and requests for production by January 15, 2023;
 - b. Defendant's initial requests for production of documents shall be served by January 29, 2023.
 - c. Defendant's initial interrogatories shall be served by January 29, 2023.
 - d. Depositions shall be completed by March 15, 2023.
 - i. Unless the parties agree or the Court so orders, depositions are not to be held until all parties have responded to initial requests for document production.
 - ii. There is no priority in deposition by reason of a party's status as plaintiff or defendant.
 - iii. Unless the parties agree or the Court so orders, non-party depositions shall follow initial party depositions.
 - e. Requests to Admit shall be served no later than March 24, 2023
- 3) All expert disclosures, including reports, production of underlying documents and depositions shall be completed by:

- a. Expert(s) of Plaintiff(s) June 09, 2023.
- b. Expert(s) of Defendant(s) July 08, 2023.

4) Motions:

- a. All motions and applications shall be governed by the Court's Individual Practices, including pre-motion conference requirements.
 - b. Summary Judgment or other dispositive motions are due at the close of discovery. Pursuant to the undersigned's Individual Practices, the parties shall request a pre-motion conference in writing at least two (2) weeks prior to this deadline.
- 5) All counsel must meet for at least one hour to discuss settlement not later than two weeks following the close of fact discovery.
- 6) The parties shall submit a Joint Pretrial Order prepared in accordance with the undersigned's Individual Practices and Rule 26(a)(3), Fed.R.Civ.P. If this action is to be tried before a jury, proposed voir dire, jury instructions and a verdict form shall be filed with the Joint Pretrial Order. Counsel are required to meet and confer on jury instructions and verdict form in an effort to make an agreed upon submission.

TO BE COMPLETED BY THE COURT:

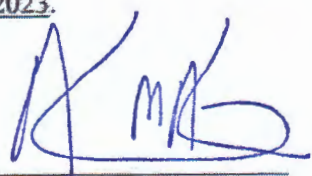
7) [Other directions to the parties:]

There will be no further extensions of discovery.

- 8) The next Case Management Conference shall occur ~~February 7, 2023 at 4:30 PM~~ June 27 at 10:30
The movant's pre-motion letter is due May 9, 2023.
The non-movant's response is due May 16, 2023.

SO ORDERED

DATED: 1/17/2023

By: 
KENNETH M. KARAS
UNITED STATES DISTRICT JUDGE